

I am avid supporter of valuable crime prevention procedures to keep our communities safe. However, individuals accused or guilty of criminal actions should be treated with justice and fairness. I work actively to develop and support legislation that ensures a fair administration of justice for all Americans.

Mandatory minimum sentencing statutes demand that execution or incarceration follows criminal conviction. They cover crimes such as drug dealing, murdering federal officials, and using a gun to commit a federal crime. They restrict judicial sentencing discretion and attach a “one size fits all” penalty for the associated offense. These sentences are often unthinkingly harsh and incompatible with a rational sentencing guideline system. Mandatory minimum sentences are not unconstitutional per se, although on rare occasions individual sentences may violate the Eighth Amendment proscription on grossly disproportionate punishments. Moreover, African Americans have been disproportionately incarcerated as a result of laws that impose more strict penalties for drug possession, including unequal sentences for possession of crack cocaine compared to power cocaine.

Accordingly, I have been a steadfast supporter of innovative actions to tackle the evils associated with mandatory minimum sentencing. I co-sponsored H.R. 1466, the *Major Drug Traffickers Prosecution Act of 2009*

. This bill would restore judicial discretion, end mandatory minimum sentences for drug offenses, and re-focus scarce federal resources to prosecute major drug kingpins.

Furthermore, I was a proud supporter of S. 1789, the

*Fair Sentencing Act of 2010*

, introduced by Senator Richard Durbin of Illinois, which passed the Senate on March 17, 2010.

The bill passed the House on July 27, 2010. The

*Fair Sentencing Act*

replaced the 100-to-1 sentencing ratio with an 18-to-1 ratio (28 grams will trigger a 5-year mandatory minimum and 280 grams will trigger a ten-year mandatory minimum); eliminated the five-year mandatory minimum for simple possession of crack cocaine; called for increased penalties for drug offenses involving vulnerable victims, violence and other aggravating factors; and required a report on the effectiveness of federally funded drug courts. President Obama signed the bill into law on August 3, 2010.

Rest assured, I will continue do everything in my power to end inequities in the criminal justice system.